

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELIZABETH DE COSTER *et al.*, on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware
corporation,

Defendant.

No. 2:21-cv-00693-JHC

**STIPULATED MOTION AND
ORDER REGARDING
DEFENDANT AMAZON.COM,
INC.'S MOTIONS TO DISMISS
THE AMENDED COMPLAINTS**

NOTE ON MOTION CALENDAR:
June 12, 2024

DEBORAH FRAME-WILSON *et al.*, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware
corporation,

Defendant.

No. 2:20-cv-00424-JHC

STIPULATED MOTION

Pursuant to Local Civil Rules 7(d)(1) and 10(g), the parties in the above-captioned actions, by and through their respective undersigned counsel, agree as follows, subject to the Court's approval:

WHEREAS, on April 22, 2024, Plaintiffs in *De Coster v. Amazon.com, Inc.*, No. 2:21-cv-00693-JHC (W.D. Wash.), filed a Second Consolidated Amended Complaint ("SCAC") in that action, Dkt. 126;

WHEREAS, on May 13, 2024, Plaintiffs in *Frame-Wilson v. Amazon.com, Inc.*, No. 2:20-cv-424-JHC (W.D. Wash.), filed a Third Amended Complaint ("TAC"), Dkt. 147;

WHEREAS, on May 22, 2024, Amazon filed a motion to dismiss the SCAC in *De Coster*, Dkt. 142 ("the *De Coster* MTD");

WHEREAS, Plaintiffs' brief in opposition to the *De Coster* MTD is currently due on June 12, 2024, and Amazon's reply in support of its motion to dismiss is currently due on June 24, 2024;

WHEREAS, Amazon's motion to dismiss in *Frame-Wilson* is due on June 12, 2024;

WHEREAS, Amazon seeks to move to dismiss all of Plaintiffs' claims in *Frame-Wilson* on the same grounds as it moved to dismiss all of Plaintiffs' claims in *De Coster*;

WHEREAS, the Parties agree that, if the Court issues a decision granting or denying any part of the motion to dismiss in *De Coster*, that decision will apply equally to the claims in *Frame-Wilson*;

WHEREAS, the Parties wish to avoid burdening the Court with duplicative briefing,

THEREFORE, the Parties stipulate and agree (subject to the Court's approval) as follows:

1. The motion to dismiss that Amazon filed in *De Coster* is deemed filed in *Frame-Wilson*.

2. Plaintiffs' opposition brief and Amazon's reply brief in *De Coster*, once they are filed on June 12 and 24 respectively, will be deemed filed in *Frame-Wilson*.

3. The Court will file its decision resolving Amazon's motion to dismiss in both *De Coster* and *Frame-Wilson*, and that decision will apply equally to both *De Coster* and *Frame-Wilson*.

4. The briefing schedule on Amazon's motion to dismiss *Frame-Wilson* is otherwise vacated.

5. The case schedule in *Frame-Wilson* shall proceed as if Amazon timely moved to dismiss the TAC.

6. Assuming that Plaintiffs' claims are not dismissed, Amazon shall not be required to answer the SCAC in *De Coster* and the TAC in *Frame-Wilson* until 45 days after the resolution of the *De Coster* MTD.

IT IS SO STIPULATED.

DATED: this 12th day of June, 2024.

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Interim Executive Committee for Plaintiffs and the
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ORDER

The Court GRANTS the Parties' stipulated motion. Amazon's Motion to Dismiss filed in *De Coster v. Amazon.com, Inc.*, No. 2:21-cv-00693-JHC (W.D. Wash.), Dkt. 142, is deemed filed in *Frame-Wilson v. Amazon.com, Inc.*, No. 2:20-cv-424-JHC (W.D. Wash.). Amazon's briefing schedule on a motion to dismiss is vacated, and the Court's decision on Amazon's Motion to Dismiss filed in *DeCoster* will apply equally to both *De Coster* and *Frame-Wilson*. Assuming Plaintiffs' claims survive Amazon's Motion to Dismiss, Amazon shall not be required to answer the SCAC in *De Coster* and the TAC in *Frame-Wilson* until 45 days after the resolution of the *De Coster* MTD.

IT IS SO ORDERED this 12th day of June, 2024.

A handwritten signature in black ink, appearing to read "John H. Chun". The signature is written in a cursive, flowing style. There is a faint, light gray watermark text "type text here" visible behind the signature.

John H. Chun
UNITED STATES DISTRICT JUDGE